

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

 ORIGINAL

UNITED STATES OF AMERICA

v.

Vincent Schifano,

Defendant.

**Affirmation in Support of
Application for Order of Continuance**

18 Mag. 2965

State of New York)
County of New York : ss.:
Southern District of New York)

Jason A. Richman, pursuant to Title 28, United States Code, Section 1746, hereby declares under penalty of perjury:

1. I am an Assistant United States Attorney in the Office of Geoffrey S. Berman, United States Attorney for the Southern District of New York. I submit this affirmation in support of an application for an order of continuance of the time within which an indictment or information would otherwise have to be filed, pursuant to 18 U.S.C. §3161(h)(7)(A).

2. The defendant was charged in a complaint dated April 9, 2018 with violating Title 21, United States Code, Section 963. The defendant was originally arrested on April 10, 2018 and was presented in the Southern District of Florida on that same day. The defendant then made his initial appearance in the Southern District of New York on May 1, 2018, when he was presented before the Honorable Debra C. Freeman, United States Magistrate Judge, Southern District of New York. The defendant was represented by Jeremy Schneider, Esq., at this initial appearance in the Southern District of New York.

3. At the initial presentment, defense counsel consented to a waiver of his client's right pursuant to Rule 5.1 of the Federal Rules of Criminal Procedure to a preliminary hearing within

14 days of the initial appearance. Accordingly, under the Speedy Trial Act, the Government initially had until May 22, 2018 within which to file an indictment or information. On May 22, 2018, Magistrate Judge Katharine Parker entered an Order of Continuance, pursuant to 18 U.S.C. §3161(h)(7)(A), extending the time within which an indictment or information would otherwise have had to be filed in this case until June 20, 2018. The defendant's counsel and I are engaged in ongoing discussions regarding a possible disposition of this case and seek to continue those discussions. The negotiations have not been completed and we plan to continue our discussions, but do not anticipate a resolution before the deadline under the Speedy Trial Act expires on June 20, 2018.

4. Therefore, the Government is requesting a 30-day continuance until July 20, 2018 to continue the foregoing discussions and reach a disposition of this matter. On June 16, 2018, I personally communicated with Mr. Schneider, who specifically consented to this request. This application has been authorized by Assistant United States Attorney Andrew Dember, Deputy Chief of the Criminal Division.

5. For the reasons stated above, the ends of justice served by the granting of the requested continuance outweigh the best interests of the public and defendant in a speedy trial.

Dated: New York, New York
June 19, 2018



Jason A. Richman
Assistant United States Attorney
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